



07-CV-00468-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARK L. HAMPTON,

Plaintiff,

v.

BRIAN FLORENCE,

Defendant.

CASE NO. C07-468-TSZ

ORDER DISMISSING § 1983 ACTION

The Court, having reviewed defendant's motion to dismiss, plaintiff's response, defendant's reply, plaintiff's supplemental response, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendant's motion to dismiss (Doc. #11) is GRANTED. The complaint and this action are DISMISSED without prejudice for failure to exhaust under 42 U.S.C. § 1997e.
- (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendant, and to Judge Donohue.

DATED this 24th day of Oct., 2007.


THOMAS S. ZILLY
United States District Judge

ORDER DISMISSING § 1983 ACTION